

July 14, 2009

**Public Hearing:** Sign Ordinance Variance V09-0005

**Applicant(s):** School of Rock

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**DESCRIPTION:**

A request for a variance to the Sign Ordinance to allow both a Variable Message Wall Sign and Awning Sign on two sides of a building, described as Old Donation, Block 3, Lots 11, 12A & 12B, also described as 6891 Main Street. Zoned Original Town Commercial. Neighborhood #20. SI

**REMARKS:**

The applicant has submitted a variance request to allow both a Variable Message Wall Sign and an Awning Sign on two sides of the building located on the southwest corner of Main Street and Fourth Street. The Sign Ordinance only allows one sign type per building face. This requirement applies to all businesses and not just to those in the Original Town Commercial. Variable Message Signs are classified as Wall Signs by the Sign Ordinance. The proposed signs comply with the requirements for each of their sign type.

The applicant has provided the drawings and responses to the four criteria as attached to this memo. The applicant told staff that they ordered the awning signs prior to applying for a sign permit.

The Sign Ordinance states the Planning & Zoning Commission shall determine that a request meets three of the following four criteria in order to approve a variance request. The four criteria are as follows with staff's comments on each of the criteria.

1. The proposed sign shall not adversely impact the adjacent property (visibility, size, etc.).

Staff agrees that the proposed sign will not have an adverse impact upon adjacent properties.

2. The proposed sign will be of a unique design or configuration.

The two sign types are commonly found in commercial development and are not unique either in design or configuration.

3. The special exception is needed due to restricted area, shape, the topography, or physical features that are unique to the property on which the proposed sign would be erected.

There are no site restrictions due to area, shape, topography or other physical features.

4. The special exception will substantially improve the public convenience and welfare and does not violate the intent of this ordinance.

The applicant's explanation is insufficient as to how this sign will substantially improve the public convenience and welfare and the request violates the Sign Ordinance. The applicant believes that the variable message wall signs will be important to advertise the business.

There are other options that comply with the Sign Ordinance that are available to the applicant. Two alternatives are listed below.

Request Variance	Alternative 1	Alternative 2
One Awning sign and one Variable Message sign to be located on each building face.	One Variable Message sign and one additional Wall sign to be located on each building face.	One Variable Message sign on each building face and one Window sign on the side facing Main Street.

Plain awnings can be used with either alternative above.

It is staff's opinion that the request does not meet three of the four criteria specified by the Ordinance.

**RECOMMENDATION:**

Staff recommends denial of the variance request.